

U.S. Department of
Homeland Security

United States
Coast Guard



Office of Administrative Law Judges,
Seattle
United States Coast Guard

915 Second Avenue, Room 2609
Seattle, WA 98174
Staff Symbol: ALJ-Seattle
Phone: 206-220-7109
Fax: 206-220-7108
Email: Heather.L.MacClintock@uscg.mil

5720
October 23, 2019

SENT VIA E-MAIL TO: 56568-42315248@requests.muckrock.com

Matthew Hoppock
MuckRock News
DEPT MR 56568
411A Highland Ave.
Somerville, MA

RE: DHS FOIA APPEAL 2019-HQAP-00254

Dear Mr. Hoppock:

This letter is in response to your appeal of the Department of Homeland Security's (DHS) response to your FOIA Request 2019-HQFO-01121, in which you sought records regarding e-mail messages from January 20, 2017 to the present containing the words "Zero Tolerance," "Family Separation," or "Separate Families" from the following custodians: Gene P. Hamilton, John Kelly (former DHS Secretary), and Kirstjen Nielsen. You challenged the adequacy of the Agency's search, as stated that a search of the Office of the Chief Information Officer found no responsive records. I remanded the record for further development in September 2019, and DHS sent you an updated response letter on October 15, 2019.

Pursuant to a memorandum of agreement, the United States Coast Guard Office of the Chief Administrative Law Judge is reviewing the FOIA appeals for the Department of Homeland Security General Counsel's office. Therefore, the Office of the Chief Administrative Law Judge will be rendering the official appeal decision on behalf of the Department of Homeland Security.

I have reviewed the file, including the updated response letter, and find DHS has made the records you seek publicly available and supplied you with a link to a website where you can access the information. I am therefore **CLOSING** this appeal. If you are dissatisfied with the updated response, you may file a new appeal.

This decision is the final action of the Department of Homeland Security concerning your initial FOIA request 2019-HQFO-01121 and DHS FOIA Appeal 2019-HQAP-00254. While a comprehensive review of your appeal was made, you may seek judicial review of this decision pursuant to 5 U.S.C. §552(a)(4)(B) in United States District Court for either: 1) the district where you reside; 2) the district where the agency records are situated; or 3) the District of Columbia.

Notwithstanding the above decision, the Office of Government Information Services (OGIS) was created as part of the 2007 FOIA amendments to offer mediation services to resolve disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. Using

OGIS services does not affect your right to pursue litigation. If you are requesting access to your own records (which is considered a Privacy Act request), you should know that OGIS does not have the authority to handle requests made under the Privacy Act of 1974. If you wish to contact OGIS, you may email them at ogis@nara.gov or call 1-877-684-6448.

Sincerely,



Heather L. MacClintock
Attorney Advisor
United States Coast Guard

Copy : Bradley White, DHS FOIA Appeals & Litigation
Sent: Via E-mail to the above address.